

### REMARKS

Claims 38-44 and 48-59 remain in the application.

Claims 38 and 42 are indicated to be amended herein. The Examiner and the undersigned agreed to such amendments in the interview of November 14, 2005. This is evidenced by the Examiner's Interview Summary, and the undersigned's filing of a Statement of the Substance of the Interview which was filed on November 22, 2005. It was decided during the interview, as evidenced by Applicant's Statement of the Substance of the Interview, that the Examiner would make such amendments by Examiner's Amendment. However, it was noticed that an Examiner's Amendment was not made. Accordingly, this Rule 312 Amendment is filed by Express Mail on the same day that the issue fee payment was made, and accordingly, is being filed with the payment of the issue fee. Entry of the same is requested.

Examiner Fenty and the undersigned discussed this matter by telephone on Thursday, September 14, 2006, and agreed to the substance of this filing and the entry thereof.

Respectfully submitted,

Dated: 9-14-06

By: 

Mark S. Matkin  
Reg. No. 32,268